



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 3766

TEW
9

In re

Patent Application of

Michael R.S. Hill

Application No. 10/768,999

Confirmation No.: 7976

Filed: January 30, 2004

Examiner: Carl Hernandez Layno

"METHOD AND SYSTEM FOR NERVE
STIMULATION PRIOR TO AND DURING
A MEDICAL PROCEDURE"

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §1.97(c)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner's attention is directed to the references which are listed on the attached Form PTO/SB/08A. Copies of non-U.S. patent references are attached. This Statement is also being accompanied by a check in payment of the \$180.00 fee required under 37 CFR §1.17(p). Please charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of the required fee.

Citation of these references is respectfully requested.

No concession is made that these documents are prior art, and Applicant expressly reserves the right to antedate the documents as may be appropriate.

Respectfully submitted,

Raye Lynn Daugherty
Raye L. Daugherty
Reg. No. 47,933

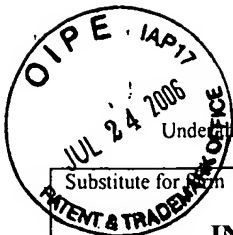
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File No. 065071-9059-12
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560



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Substitute for Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 8

Complete if Known

| | |
|------------------------|----------------------|
| Application Number | 10/768,999 |
| Filing Date | January 30, 2004 |
| First named Inventor | Michael R.S. Hill |
| Group Art Unit | 3766 |
| Examiner name | Carl Hernandez Layno |
| Attorney Docket Number | 065071-9059-12 |

U.S. Patent Documents

| Examiner Initials | U.S. Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document |
|----------------------|-----------------------------|--|--|
| | 3,614,995 | Probert, et al. | 10/26/1971 |
| | 3,804,098 | Friedman | 4/16/1974 |
| | 4,088,138 | Diack, et al. | 5/9/1978 |
| | 4,161,952 | Kinney, et al. | 4/22/1979 |
| | 4,176,660 | Mylrea, et al. | 12/4/1979 |
| | 4,198,963 | Barkalow, et al. | 4/22/1979 |
| | 4,321,929 | Lemelson, et al. | 3/30/1982 |
| | 4,351,330 | Scarberry | 9/28/1982 |
| | 4,574,807 | Hewson, et al. | 3/11/1986 |
| | 4,603,705 | Speicher, et al. | 8/5/1986 |
| | 4,671,295 | Abrams, et al. | 6/9/1987 |
| | 4,715,367 | Crossley | 12/29/1987 |
| | 4,722,347 | Abrams, et al. | 2/2/1988 |
| | 4,753,244 | Landymore, et al. | 6/28/1988 |
| | 4,919,147 | Reinhardt, et al. | 4/24/1990 |
| | 4,931,464 | Grover, et al. | 6/5/1990 |
| | 4,952,586 | Morris, et al. | 8/28/1990 |
| | 5,003,991 | Takayama, et al. | 4/2/1991 |
| | 5,007,893 | Row | 4/16/1991 |
| | 5,024,228 | Goldstone, et al. | 6/18/1991 |
| | 5,025,807 | Zabara | 6/25/1991 |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
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|---|--|-----------------------------|---|---------------------------------------|
| | | Application Number | 10/768,999 | |
| | | Filing Date | January 30, 2004 | |
| | | First named Inventor | Michael R.S. Hill | |
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| U.S. Patent Documents | | | | |
| Examiner Initials | | U.S. Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document |
| | | 5,036,848 | Hewson | 8/6/1991 |
| | | 5,050,600 | Parks | 9/24/1991 |
| | | 5,117,822 | Laghi | 6/2/1992 |
| | | 5,117,828 | Metzger, et al. | 6/2/1992 |
| | | 5,125,406 | Goldstone, et al. | 6/30/1992 |
| | | 5,127,407 | Tan | 7/7/1992 |
| | | 5,154,172 | Terry, Jr. et al. | 10/13/1992 |
| | | 5,156,149 | Hudrlik | 10/20/1992 |
| | | 5,156,151 | Imran | 10/20/1992 |
| | | 5,178,149 | Imburgia, et al. | 1/12/1993 |
| | | 5,179,950 | Stanislaw | 1/19/1993 |
| | | 5,179,952 | Buinevicius, et al. | 1/19/1993 |
| | | 5,186,170 | Varrichio, et al. | 2/16/1993 |
| | | 5,188,104 | Wernicke, et al. | 2/23/1993 |
| | | 5,205,285 | Baker, Jr. | 4/27/1993 |
| | | 5,215,086 | Terry, Jr., et al. | 6/1/1993 |
| | | 5,231,988 | Wernicke, et al. | 8/3/1993 |
| | | 5,235,980 | Varrichio, et al. | 8/17/1993 |
| | | 5,263,480 | Wernicke, et al. | 11/23/1993 |
| | | 5,265,603 | Hudrlik | 11/30/1993 |
| | | 5,265,623 | Kroll, et al. | 11/30/1993 |
| | | 5,269,303 | Wernicke, et al. | 12/14/1993 |
| | | 5,282,468 | Klepinski | 2/1/1994 |
| | | 5,284,146 | Czar, et al. | 2/8/1994 |

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|---|--|-----------------------------|---|---------------------------------------|
| | | Application Number | 10/768,999 | |
| | | Filing Date | January 30, 2004 | |
| | | First named Inventor | Michael R.S. Hill | |
| | | Group Art Unit | 3766 | |
| | | Examiner name | Carl Hernandez Layno | |
| | | Attorney Docket Number | 065071-9059-12 | |
| U.S. Patent Documents | | | | |
| Examiner Initials | | U.S. Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document |
| | | 5,299,569 | Wernicke, et al. | 4/5/1994 |
| | | 5,304,120 | Crandell, et al. | 4/19/1994 |
| | | 5,304,206 | Baker, Jr., et al. | 4/19/1994 |
| | | 5,304,220 | Maginot | 4/19/1994 |
| | | 5,330,507 | Schwartz | 7/19/1994 |
| | | 5,335,657 | Terry, Jr., et al. | 8/9/1994 |
| | | 5,365,926 | Desai | 11/22/1994 |
| | | 5,379,765 | Kajiware, et al. | 1/10/1995 |
| | | 5,411,529 | Hudrlik | 5/2/1995 |
| | | 5,417,713 | Cohen | 5/23/1995 |
| | | 5,456,254 | Pietroski, et al. | 10/10/1995 |
| | | 5,458,625 | Kendall | 10/17/1995 |
| | | 5,476,485 | Weinberg, et al. | 12/19/1995 |
| | | 5,531,776 | Ward, et al. | 7/2/1996 |
| | | 5,656,420 | Chien | 8/12/1997 |
| | | 5,662,689 | Elsberry, et al. | 9/2/1997 |
| | | 5,668,117 | Shapiro | 9/16/1997 |
| | | 5,707,400 | Terry, Jr., et al. | 1/13/1998 |
| | | 5,713,924 | Min, et al. | 2/3/1998 |
| | | 5,713,929 | Hess, et al. | 2/3/1998 |
| | | 5,755,682 | Knudson, et al. | 5/26/1998 |
| | | 5,782,874 | Loos | 7/21/1998 |
| | | 5,791,187 | Chang | 8/11/1998 |

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|---|-----------------------------|--|--|
| | | Application Number | 10/768,999 |
| | | Filing Date | January 30, 2004 |
| | | First named Inventor | Michael R.S. Hill |
| | | Group Art Unit | 3766 |
| | | Examiner name | Carl Hernandez Layno |
| | | Attorney Docket Number | 065071-9059-12 |
| U.S. Patent Documents | | | |
| Examiner Initials | U.S. Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document |
| | 5,799,661 | Boyd, et al. | 9/1/1998 |
| | 5,824,021 | Rise | 10/20/1998 |
| | 5,840,076 | Swanson, et al. | 11/24/1998 |
| | 5,846,263 | Peterson, et al. | 12/8/1998 |
| | 5,846,264 | Andersson, et al. | 12/8/1998 |
| | 5,874,420 | Pelleg | 2/23/1999 |
| | 5,889,033 | Kaminski | 3/30/1999 |
| | 5,893,881 | Elsberry, et al. | 4/13/1999 |
| | 5,893,882 | Peterson, et al. | 4/13/1999 |
| | 5,971,911 | Wilk | 10/26/1999 |
| | 5,995,872 | Bourgeois | 11/30/1999 |
| | 6,007,559 | Arkans | 12/28/1999 |
| | 6,014,588 | Fitz | 1/11/2000 |
| | 6,042,538 | Puskas | 3/28/2000 |
| | 6,091,988 | Warman, et al. | 7/18/2000 |
| | 6,103,722 | Schultz, et al. | 8/15/2000 |
| | 6,141,590 | Renirie, et al. | 10/31/2000 |
| | 6,185,459 | Mehra, et al. | 2/6/2001 |
| | 6,234,985 | Lurie, et al. | 5/22/2001 |
| | 6,253,108 | Rosborough, et al. | 6/26/2001 |
| | 6,266,564 | Hill, et al. | 7/24/2001 |
| | 6,272,380 | Warman, et al. | 8/7/2001 |
| | 6,299,564 | Gessler, et al. | 10/9/2001 |
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|---|--|-----------------------------|---|---------------------------------------|
| | | Application Number | 10/768,999 | |
| | | Filing Date | January 30, 2004 | |
| | | First named Inventor | Michael R.S. Hill | |
| | | Group Art Unit | 3766 | |
| | | Examiner name | Carl Hernandez Layno | |
| | | Attorney Docket Number | 065071-9059-12 | |
| U.S. Patent Documents | | | | |
| Examiner Initials | | U.S. Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document |
| | | 6,303,293 | Patterson, et al. | 10/16/2001 |
| | | 6,304,777 | Ben-Haim, et al. | 10/16/2001 |
| | | 6,381,499 | Taylor, et al. | 4/30/2002 |
| | | 6,414,018 | Duhaylongsod | 7/2/2002 |
| | | 6,429,217 | Puskas | 8/6/2002 |
| | | 6,442,429 | Hill, et al. | 8/27/2002 |
| | | 6,449,507 | Hill, et al. | 9/10/2002 |
| | | 6,479,523 | Puskas | 11/12/2002 |
| | | 6,487,446 | Hill, et al. | 11/26/2002 |
| | | 6,532,388 | Hill, et al. | 3/11/2003 |
| | | 6,542,774 | Hill, et al. | 4/1/2003 |
| | | 6,554,781 | Carter, et al. | 4/29/2003 |
| | | 6,587,719 | Barrett, et al. | 7/1/2003 |
| | | 6,609,025 | Barrett, et al. | 8/19/2003 |
| | | 6,622,038 | Barrett, et al. | 9/16/2003 |
| | | 6,622,041 | Terry, Jr., et al. | 9/16/2003 |
| | | 6,622,047 | Barrett, et al. | 9/16/2003 |
| | | 6,628,987 | Hill, et al. | 9/30/2003 |
| | | 6,656,960 | Puskas | 12/2/2003 |
| | | 6,690,973 | Hill, et al. | 2/10/2004 |
| | | 6,711,436 | Duhaylongsod | 3/23/2004 |
| | | 6,718,208 | Hill, et al. | 4/6/2004 |
| | | 6,721,603 | Zabara, et al. | 4/13/2004 |
| Examiner Signature | | | Date Considered | |

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| | Application Number | 10/768,999 |
| | Filing Date | January 30, 2004 |
| | First named Inventor | Michael R.S. Hill |
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| | Examiner name | Carl Hernandez Layno |
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U.S. Patent Documents

| Examiner Initials | U.S. Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document |
|----------------------|-----------------------------|--|--|
| | 6,735,471 | Hill, et al. | 5/11/2004 |
| | 6,738,667 | Deno, et al. | 5/18/2004 |
| | 6,778,854 | Puskas | 8/17/2004 |
| | 6,904,318 | Hill, et al. | 6/7/2005 |
| | 6,912,419 | Hill, et al. | 6/28/2005 |
| | 09/980,421 | | |
| | RE38,654 | Hill et al. | 11/23/2004 |
| | RE38,705 | Hill et al. | 2/22/2005 |
| | 2001/0049543 | Kroll | 12/6/2001 |
| | 2002/072782 | Osorio et al. | 6/13/2002 |
| | 2002/0198570 | Puskas | 12/26/2002 |
| | 2002/0198571 | Puskas | 12/26/2002 |
| | 2003/045909 | Gross et al. | 3/6/2003 |
| | 2003/0074039 | Puskas | 4/17/2003 |
| | 2003/0216775 | Hill et al. | 11/20/2003 |
| | 2003/0216790 | Hill et al. | 11/20/2003 |
| | 2004/0024422 | Hill et al. | 2/5/2004 |
| | 2004/0059383 | Puskas | 3/25/2004 |
| | 2004/0111118 | Hill et al. | 6/10/2004 |
| | 2004/0162584 | Hill et al. | 8/19/2004 |
| | 2004/0172075 | Shafer et al. | 9/2/2004 |
| | 2004/0186517 | Hill et al. | 9/23/2004 |
| | 2004/0186531 | Jahns et al. | 9/23/2004 |

| | | | |
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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 7 of 8 | | Complete if Known | | |
| | | Application Number | 10/768,999 | |
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| | | First named Inventor | Michael R.S. Hill | |
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| U.S. Patent Documents | | | | |
| Examiner Initials | | U.S. Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document |
| | | 2004/0199209 | Hill et al. | 10/7/2004 |
| | | 2005/0096707 | Hill et al. | 5/5/2005 |
| | | 2005/0143412 | Puskas | 6/30/2005 |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------|--------------------------------|---|---------------------------------------|-------------|------------------|
| Examiner Initials | Country Code | Foreign Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document | Translation | English Abstract |
| | AU | 9890156 | Duhaylongsod | 3/1/1999 | | |
| | AU | 779255 | Puskas | 6/23/2000 | | |
| | CA | 2,310,183 | Stewart, et al. | 5/19/1996 | | |
| | CA | 2,376,903 | Puskas | 6/23/2000 | | |
| | EP | 0440111 | McEwen | 8/7/1991 | | |
| | EP | 0589252 | Dreher, et al. | 3/30/1994 | | |
| | EP | 0688579 | Bowalt, et al. | 12/27/1995 | | |
| | EP | 1005337 | Puskas | 6/7/2000 | | |
| | EP | 1181947 | Borkan | 2/27/2002 | | |
| | JP | 2001-505980 | Puskas | 6/23/2000 | | |
| | JP | 2000-507363 | Puskas | 8/26/1998 | | |
| | MX | 2043 | Puskas | 8/26/1998 | | |
| | WO | 99/07354 | Duhaylongsod | 2/18/1999 | | |
| | WO | 00/01306 | Scher, et al. | 1/13/2000 | | |
| | WO | 02/26320 | Hill, et al. | 4/4/2002 | | |

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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 8 of 8 | | | | Complete if Known | | | |
| | | | | Application Number | | 10/768,999 | |
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| | | | | First named Inventor | | Michael R.S. Hill | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
| Examiner Initials | | Country Code | Foreign Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document | Translation | English Abstract |
| | | WO | 99/00057 | Ward | 1/7/1999 | | |
| | | WO | 99/63926 | Lurie, et al. | 12/16/1999 | | |
| | | WO | 00/09206 | Mehra, et al. | 2/24/2000 | | |

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| | | | | Examiner Name | Carl Hernandez Layno |
| Sheet | 1 | of | 5 | Attorney Docket Number | 065071-9059-12 |

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published. |
|----------------------|--|--|
| | | AGNEW, William F., et al., "Considerations for Safety with Chronically Implanted Nerve Electrodes, Epilepsia, 31(Supp. 2), 1990, pp. S27-S32, Raven Press, Ltd., New York. |
| | | BELL, et al., "Inotropic Responses of the Left Ventricle to Changes in Heart Rate in Anesthetized Rabbits," Can. J. Physiol. Pharmacol., 65:179-184. |
| | | BENNETTI, F.J., "Direct Coronary Surgery with Saphenous Vein Bypass Without Either Cardiopulmonary Bypass or Cardiac Arrest, J. Cardiovasc. Surg., 26:217-222. |
| | | BENETTI, et al., "Use of Thoracoscopy and a Minimal Thoracotomy, in Mammary-Coronary Bypass to Left Anterior Descending Artery, Without Extracorporeal Circulation," J. Cardiovasc. Surg., 36:159-161. |
| | | BILGUTAY, A., et al., "Vagal Tuning: A New Concept in the Treatment of Supraventricular Arrhythmias, Angina pectoris, and Heart failure," Jour. of Thorac. & Cardio. Surg., 1968, pp. 71-82. |
| | | BLUEMEL, K.M., et al., "Parasympathetic Postganglionic Pathways to the Sinoatrial Node," Am. Phys. Soc., 1990, pp. H1504-H1508. |
| | | BRAUNWALD, E., et al., "Cartoid Sinus Nerve Stimulation in the Treatment of Angina Pectoris and Supraventricular Tachycardia," Western Jour. of Medicine, 1970, No. 112, Vol. 3, pp. 41-50. |
| | | BUFKIN, B., et al., "Controlled Intermittent Asystole: Pharmacologic Potentiation of Vagal-Induced Asystole," Ann. Thorac. Surg. 1998; 66: 1185-90. |
| | | Declaration/Clarification of John D. Puskas, MD., dated October 11, 2005, pp. 1-7. |

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| | | | | First Named Inventor | Michael R.S. Hill |
| | | | | Group Art Unit | 3766 |
| | | | | Examiner Name | Carl Hernandez Layno |
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|----------------------|--|--|
| | | DiMARCO, J. P., M.D., et al., "Adenosine: Electrophysiologic Effects and Therapeutic Use for Terminating Paroxysmal Supraventricular Tachycardia," Therapy and Prevention Arrhythmia, Circulation 68, No. 6, 1983, pp. 1254-1263. |
| | | DIPIRO, J., et al., "Pharmacotherapy: A Pathophysiologic Approach," p. 153-157, 1989. |
| | | FANNING, et al., "Reoperative Coronary Artery Bypass Grafting Without Cardiopulmonary Bypass," Ann. Thorac. Surg., 55:486-489. |
| | | FREILICH, A., M.D., et al., "Adenosine and its Cardiovascular Effects," American Heart Journal, vol. 123, No. 5, May 1992, pp. 1324-1328. |
| | | GORMAN, Christine, et al., "How New Heart-Scanning Technology Could Save Your Life," Time, September 5, 2005, pp. 61 and 67. |
| | | HAGEMAN, G.R., et al., "Direct and Reflex Cardiac Bradycardias from a Small Vagal Nerve Stimulation," Am. Heart J. 1975, Mar; 89: 338-48 (Abstract only). |
| | | HAMMOND, Edward J., et al., "Vagus Nerve Stimulation in Humans: Neurophysiological Studies and Electrophysiological Monitoring," Epilepsia, 31 Suppl. 2), 1990, pp. S51-S59, Raven Press, Ltd., New York. |
| | | KLASSEN, et al., "Coronary Venous Pressure and Flow: Effects of Vagal Stimulation, Aortic Occlusion, and Vasodilators," Can. J. Physiol. Pharmacol., 1984, 62:531-538. |
| | | LEVY, M. et al., "Autonomic Control of Cardiac Pacemaker Activity and Atrioventricular Transmission," Journal of Applied Physiology, vol. 27, No. 4, October 1969. |

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|----------------------|--|--|
| | | LOCKARD, Joan S., et al., "Feasibility and Safety of Vagal Stimulation in Monkey Model," <i>Epilepsia</i> , 31(Supp. 2), 1990, pp. S20-S26, Raven Press, Ltd., New York. |
| | | MOHIUDDIN, S. M., M.D., et al., "Safety of Different Dosages of Intravenous Adenosine Used in Conjunction with Diagnostic Myocardial Imaging Techniques," <i>Pharmacotherapy</i> , 1993, 13(5), pp. 476-480. |
| | | NOBREGA, et al., "Resting and Reflex Heart Rate Responses During Cholinergic Stimulation With Pyridostigmine in Humans," <i>Brazilian J. Med. Biol. Res.</i> , Vol. 29, No. 11, pp. 1461-1465, 1996 (Abstract Only). |
| | | NOONAN, DAVID, "And the Beat Goes On," <i>Newsweek</i> , July 11, 2005, pp. 56-57. |
| | | OKAZAWA, M., et al., "Effect of Vagal Stimulations and Parenteral Acetylcholine on Canine Trachealis Muscle Shortening," <i>J. Appl. Physiol.</i> , Vol. 72, No. 6, pp. 2463-2468, 1992 (Abstract Only). |
| | | PENRY, J. Kiffin, et al., "Prevention of Intractable Partial Seizures by Intermittent Vagal Stimulation in Humans: Preliminary Results," <i>Epilepsia</i> , 31(Suppl. 2), 1990, pp. S40-S43, Raven Press, Ltd., New York. |
| | | PFISTER, et al., "Coronary Artery Bypass Without Cardiopulmonary Bypass," <i>Ann. Thorac. Surg.</i> , 54:1085-92. |
| | | RANDALL, Walter C., PhD., "Parasympathetic Control of the Heart," Chapter 4, <i>Nervous Control of Cardiovascular Function</i> , 1984, pp. 68-94. |
| | | RANDALL, Walter C., Ph.D. et al., "Functional Anatomy of the Cardiac Efferent Innervation," <i>Neurocardiology</i> , 1988, pp. 3-24. |

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|----------------------|--|--|
| | | REID, Steven A., "Surgical Technique for Implantation of the Neurocybernetic Prosthesis," Epilepsia, 1990, 31 (supp. 2): S38-S39. |
| | | RUTECKI, Paul, "Anatomical, Physiological, and Theoretical Basis for the Antiepileptic Effect of Vagus Nerve Stimulation," Epilepsia, 31(Suppl. 2), 1990, pp. S1-S6, Raven Press, Ltd., New York. |
| | | SUBRAMANIAN, V.A., "Clinical Experience with Minimally Invasive Reoperative Coronary Bypass Surgery," Eur. J Cardio-Thorac Surg, 1996, 10:1058-1062. |
| | | TAYLOR, P., "Anticholinesterase Agents" Goodman and Gilman's, The Pharmacological Basis of Therapeutics, 6th Ed., MacMillan Publishing Co., Inc., New York, pp. 93-94 and 104-108, 1980. |
| | | TERRY, Reese, et al., "An Implantable Neurocybernetic Prosthesis System," Epilepsia, 31 (Suppl. 2), 1990, pp. S33-S37, Raven Press, Ltd. New York. |
| | | THOMPSON, et al., "Bradycardia Induced by Intravascular Versus Direct Stimulation of the Vagus Nerve," Ann. Thorac. Surg., 1998; 65: 637-42. |
| | | URTHALER, James F., "Experimental Studies on the Pathogenesis of Asystole After Verapamil in the Dog," Am. J. Cardiol., Vol. 44, No. 4, pp. 651-656, 1979 (Abstract Only). |
| | | UTHMAN, Basim M., et al., "Efficacy and Safety of Vagus Nerve Stimulation in Patients with Complex Partial Seizures," Epilepsia, 31(Suppl. 2), 1990, pp. S44-S50, Raven Press, Ltd., New York. |
| | | WESTABY, S., "Coronary Surgery Without Cardiopulmonary Bypass," British Heart Journal, 73:203-205. |

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| | | WILDER, B.J., et al., "Vagus Nerve Stimulation for the Control of Epilepsy," Proceedings of a Symposium held in conjunction with the American Epilepsy Society Annual Meeting, Boston, MA, December 2, 1989, Vol. 31, Supplement 2, 1990. |
| | | WOODBURY, Dixon M., et al., "Effects of Vagal Stimulation on Experimentally Induced Seizures in Rats," Epilepsia, 31(Suppl. 2), 1990, pp. S7-S19, Raven Press, Ltd., New York. |

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